

PROB 12C
(7/93)

United States District Court
for
District of New Jersey

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jose Miguel Ruela

Docket Number: 03-00352-001

PACTS Number: 21879

Name of Sentencing Judicial Officer: The Honorable James P. Jones, U.S.D.J., WD/VA; case transferred to the D/NJ and currently assigned to the Honorable Dennis M. Cavanaugh

Date of Original Sentence: 05/10/99; 08/17/05-VOP

Original Offense: Fraudulent Use of a Social Security Number, False Statement, and Possession of a Firearm by a Prohibited Person

Original Sentence: 05/10/99: 41 months custody followed by a three-year-term of supervised release. 10/20/03: *Violation of Supervised Release Hearing; Continued on supervision with 6 months home confinement and financial disclosure.* 08/17/05: Violation of Supervised Release Hearing; 23 months imprisonment; 1 year supervised release consecutive to any period of State Parole.

Type of Supervision: Supervised Release

Date Supervision Commenced: 03/24/08

Assistant U.S. Attorney: To Be Assigned, 970 Broad Street, Room 502, Newark, New Jersey 07102, (973) 645-2700

Defense Attorney: Wanda M. Akin, Esq., 1 Gateway Center, Suite 2600, Newark, New Jersey 07102, (973) 623-6834

PETITIONING THE COURT

- [X] To issue a warrant
[] To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
|----|--|
| 1. | The offender has violated the supervision condition which states ' You shall not commit another federal, state, or local crime. ' |
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In May 2008, a victim allegedly provided Ruela with \$4,000 cash. In return, the offender gave the victim two checks, one for \$3,200 and the other for \$800. Both checks were returned from the bank marked, "unable to locate account." The victim was charged \$4,000 to her account as well as \$24 in bank fees.

According to the victim, Ruela indicated he was a New York City Police Detective and he displayed a police badge and identification with the badge number 313. The offender's vehicle has a New York driver's license tag "DET313."

2. The offender has violated the supervision condition which states **'You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.'**

On June 26, 2008, during a home visit, a notice was left in the offender's mailbox instructing him to report on Tuesday, July 1, 2008. On June 27, 2008, a follow-up letter was mailed to his home directing him to report on the above date and time without fail. The offender failed to report as directed on July 1, 2008.

3. The offender has violated the supervision condition which states **'You shall permit a probation officer to visit him at any time or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.'**

On June 26, 2008, a home visit was conducted at 9:35 p.m., at which time the offender was observed looking out a window while working on a computer. The offender fled the window area with what appeared to be a laptop computer. The undersigned contacted the offender on his home and cell phones to identify the officers and gain access to the residence. The offender failed to answer the phone and did not answer the door.

4. The offender has violated the supervision condition which states **'You shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.'**

The offender is not working, and essentially has no verifiable work history.

5. The offender has violated the special supervision condition which states **'The defendant shall not possess, procure, purchase or otherwise obtain access to any form of computer network, bulletin board, Internet, or exchange format involving computers unless specifically approved by the U.S. Probation Office. Any dispute as to the applicability of this condition shall be decided by the Court.'**

The defendant met the victim on a dating website.

I declare under penalty of perjury that the foregoing is true and correct.

Edward J. Irwin
By: Edward J. Irwin
U.S. Probation Officer
Date: _____

THE COURT ORDERS:

- ☒ The Issuance of a Warrant
☐ The Issuance of a Summons. Date of Hearing: _____
☐ No Action
☐ Other

[Signature]
Signature of Judicial Officer
7-8-08
Date